

**REMARKS**

Claims 1-7 and 12-21 are pending in this application. By this Amendment, claims 8-11 are canceled, claims 1, 2 and 13 are amended, and claims 18-21 are added.

Reconsideration based on the above amendments and following remarks is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to a rejection made for the first time in the final rejection. Entry of the amendments is thus respectfully requested.

**I. Pending Claims 1-7 and 12-21 Define Patentable Subject Matter**

The Office Action rejects claims 1-7 and 12-17 under 35 U.S.C. §102(e) over U.S. Patent No. 6,157,127 to Hosokawa et al. The rejection is respectfully traversed.

Hosokawa does not disclose, teach or suggest an organic electroluminescent element having "the slope of the second electrode layer being greater than 45 °" recited in independent claims 1, 2 and 13. Support for the newly recited feature is found in the specification, for example, at paragraphs 39, 48 and 61.

In contrast, Hosokawa, at col. 11, lines 44-55, col. 11, line 66 to col. 12, line 3 and col. 22, lines 3-9, discloses that the insulating film taper (slope) has an angle that is less than 45° and more preferably equal to or less than 25°. Hosokawa teaches that an angle exceeding 45° may result in an increased possibility of breakage and would tend to cause a defect in the display element. While Hosokawa does not explicitly state a slope angle for the second

electrode layer, the structure in Fig. 8b of Hosokawa shows that the first and second electrode layers and the organic layer have slopes whose angles correspond to, and are less than, the slope of the insulating film 11 (e.g., slope that is equal to or less than 45°, and more preferably less than 25°).

Thus, for at least the reasons discussed above, Applicant respectfully submits that independent claims 1, 2 and 13 distinguish over the applied art. Claims 3-7, 12 and 14-21, which depend from independent claims 2 and 13, are likewise distinguishable over the applied art for at least the reasons discussed above. Withdrawal of the rejection under 35 U.S.C. §102(e) is respectfully requested.

## **II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 12-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

George P. Simion  
Registration No. 47,089

JAO:GPS/dmw  
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**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

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